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89964JLT
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Patrick Gerard, et al

APPARATUS AND METHOD FOR
TREATING IMAGING MATERIALS

Serial No. 10/565,054

Filed January 17, 2006

Group Art Unit:

Examiner:

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sherryl A. Payne
Sherryl A. Payne

May 14, 2007
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

**PETITION FOR WITHDRAWAL OF ABANDONMENT FOR
FAILURE TO RECEIVE AN OFFICE ACTION**

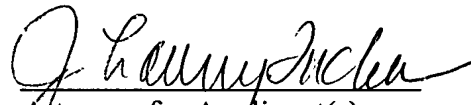
Petitioner hereby respectfully requests that the holding of abandonment of the above referenced application be withdrawn. The Official Action referred to by the Office, (Missing Requirement Letter , mailed 5/23/2006) was never received by the Petitioner and a search of the file jacket and docket records indicate that the Official Action was not received. Petitioner made several attempts to locate the application on the PAIRS database to ascertain the status of the filed application and could not find the data in either Public or Private Pairs. On February 16, 2007, Petitioner mailed a Status Inquiry regarding the application. On May 4, 2007, Petitioner located the application in PAIRS by searching the Docket number field. On that date it was discovered the case had been abandoned. From the Image File Wrapper in PAIRS, Petitioner printed Form 905 (371 Formalities Notice) which indicates a mail date by the Patent Office to Petitioner of May 23, 2006. The Petitioner's Customer Number does not appear on said Notice and said Notice was never received by Petitioner.

Pursuant to the practice adopted in 1156 OG 53, dated November 16, 1993, enclosed herewith are copies of the cover of the docket file as well as a summary from the Petitioner's automated docketing system, each indicating where the Official Action would have been entered had it been received.

In response to the Notification of Missing Requirements (copy attached), enclosed is the originally executed Declaration.

It is understood that no fee is required for the filing of this petition, the granting of which is hereby respectfully solicited.

Respectfully submitted,


Attorney for Applicant(s)
Registration No. 27,678

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Rochester, NY 14650
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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

IPMaster (v1.7.0) - [Patent 113695 of 127778]

File Edit Records Utilities Tools Help

Docket Number: 89964
Country: United States
Case Type: Regular
Relation Type: Original Filing
Filing Type: Patent Cooperation Treaty
Filing Number:
Attorney: J. Lanny Tucker
Agent:
IP Portfolio Code: 034 - Commercial Printing Technol
Current Owner: Kodak Polychrome Graphics, Gmb
GPC: Andrew J. Anderson
Ideas# (ex ABC-0123):
APPARATUS AND METHOD FOR TREATING IMAGING MATERIALS

Ext. Filing	Related Id	PPH/EWO	Title	Designated	Access/IR#	Cluster Input**
Filing Data	Additional Party In	Conflict	Actions	Filing Notes	Inventors	Keywords
Action			Action Due Date	Completed Date		Action Notes
U. S. Filing Due			1/17/2006	1/17/2006		
Info Disc. Statement			1/17/2006	1/17/2006		
Preliminary Amendment			1/17/2006	1/17/2006		
Assignment			3/17/2006	4/11/2006		
Declaration			3/17/2006			
Assignment			4/11/2006	4/11/2006		017471: 0060-0062
Published			5/17/2006			
Filing Receipt			5/17/2006			
Status Inquiry			2/16/2007	2/16/2007		
Communication			5/1/2007	5/1/2007		Notification of
1st Office Action			1/17/2008			

Created: 12/30/2005 Updated: 5/4/2007 10:03:39 AM By: j468506

Start Sherry A... IPMaster... Microsoft 11:00 AM

Docket/Atty	89964JLT	Country	US	SN	10565059	Filed	1/17/2006
Agent Ref.		Priority Country	PCT	SN	PCT/EP03/07797	Filed	07-17-2003
Patent No.		Issue Date		FFR		ATF	
Inventor(s)	Patrick Gerard, Gilbert Machuel, Celin Savariar-Hauck						
Title	APPARATUS AND METHOD FOR TREATING IMAGING MATERIALS						
Actions							
1	1/17/2006 - IDS		16				
2	1/17/2006 - Preliminary Amendment		17				
3	2/16/2007 - Status Change		18				
4			19				
5			20				
6			21				
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15			30				



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/565,054	FIRST NAMED APPLICANT Patrick Gerard	ATTY. DOCKET NO. 89964JLT
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INTERNATIONAL APPLICATION NO.

PCT/EP03/07797

I.A. FILING DATE	PRIORITY DATE
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07/17/2003

Patent Legal Staff
Eastman Kodak Company
343 State Street
Rochester, NY 14650-2201

CONFIRMATION NO. 7160
371 FORMALITIES LETTER

OC000000018898521

Date Mailed: 05/23/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/17/2006
- Copy of the International Search Report filed on 01/17/2006
- Preliminary Amendments filed on 01/17/2006
- Information Disclosure Statements filed on 01/17/2006
- Oath or Declaration filed on 01/17/2006
- U.S. Basic National Fees filed on 01/17/2006
- Specification filed on 01/17/2006
- Claims filed on 01/17/2006
- Abstracts filed on 01/17/2006
- Drawings filed on 01/17/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/565,054	PCT/EP03/07797	89964JLT

FORM PCT/DO/EO/905 (371 Formalities Notice)